

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

YOLANDA R. EFFINGER

Plaintiff,

v.

WINN DIXIE MONTGOMERY, INC.

Defendant.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Case No. 2:07-CV-657-ID-TFM

**MEMORANDUM IN SUPPORT OF MOTION FOR PROTECTIVE  
ORDER ON PLAINTIFF'S DEPOSITION**

**A. Facts:**

On October 31, 2007, defendant was granted a discovery order by this court (Document 23) sanctioning and reaffirming broad and full mandatory discovery.

On October 29, 2007, plaintiff propounded her initial interrogatories (Document 26) and requests for production (Document 34) to defendant.

On December 6, 2007, it was necessary for plaintiff to file a motion to compel discovery responses to her first interrogatories (Document 24) and a motion to compel discovery responses to her first requests for production (Document 30).

Plaintiff contends that defendant's responses to her first interrogatories (Document 27) and defendant's responses to her first requests for production (Document 35) were so deficient as to warrant her not having to give her deposition until this court decides her aforementioned motions to compel.

**B. Law:**

The law favors and requires reciprocal mandatory discovery.

Authorities: Ex Parte Dorsey Trailers, 397 So.2d 98, 107 (1981); F.R.C.P. 26; F.R.C.P. 37; 14<sup>th</sup> Amendment to the U.S. Constitution.

Wherefore, Plaintiff prays that the court issue a protective order temporarily relieving plaintiff from giving a deposition, and that the court grants her such other relief as would be just and proper.

This 7th of December, 2007.

/s/ Ronald B. Hatcher  
Ronald B. Hatcher (HAT 002)  
Attorney for Plaintiff

P. O. Box 161442  
Atlanta, GA 30321  
(404) 526-9440